

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

ENZON PHARMACEUTICALS, INC.,

Plaintiff,

v.

PHOENIX PHARMACOLOGICS, INC.,

Defendant.

C.A. No. 04-1285-GMS

STIPULATION REGARDING DEPOSITIONS

IT IS HEREBY STIPULATED, by and between the parties hereto, subject to the approval of the Court, as follows:

Notwithstanding the discovery cutoff and any other limits on discovery imposed by the Federal Rules of Civil Procedure or the Scheduling Order dated February 4, 2005 [D.I. 12] as amended on August 24, 2005 [D.I. 53], the parties agree that any witness identified by a party as a trial witness, who has not yet been deposed in this litigation, will be made available by the identifying party for deposition prior to trial at a mutually agreeable time and location.

/s/ Karen E. Keller

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SO ORDERED this _____ day of _____, 2005.

United States District Court Judge